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MT LEGISLATIVE HISTORY

Chapter 609 1985

Bill (H) 820 S _____ Original bill & hist. ✓C

H. Committee on Fish & Game		S. Committee on Fish & Game	
Hearing Date(s) FEB 21	✓C	Hearing Date(s) MAR 12	✓C
_____	___C	MAR 14	✓C
_____	___C	_____	___C
_____	___C	_____	___C
Date Out FEB 21	✓C	_____	___C

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

HOUSE BILL NO. 820

INTRODUCED BY RAPP-SVRCEK, GRADY, HART, VINCENT, HARRINGTON, PAVLOVICH, QUILICI, KRUEGER, D. BROWN

IN THE HOUSE

February 14, 1985	Introduced and referred to Committee on Fish and Game.
	Fiscal Note requested.
February 20, 1985	Fiscal Note returned
February 22, 1985	Committee recommend bill do pass as amended. Report adopted.
	Statement of Intent attached.
February 23, 1985	Bill printed and placed on members' desks.
February 25, 1985	Second reading, do pass as amended.
	Correctly engrossed.
February 26, 1985	Third reading, passed.
	Transmitted to Senate.

IN THE SENATE

March 4, 1985	Introduced and referred to Committee on Fish and Game.
March 15, 1985	Committee recommend bill be concurred in as amended. Report adopted.
	Statement of Intent stricken.
March 21, 1985	Second reading, concurred in.

March 23, 1985

Third reading, concurred in. Ayes, 35; Noes, 14.

Returned to House with amendments and stricken Statement of Intent.

IN THE HOUSE

March 25, 1985

Received from Senate.

April 8, 1985

Second reading, amendments concurred in.

On motion, rules suspended and bill placed on third reading this day.

Third reading, amendments concurred in.

Sent to enrolling.

Reported correctly enrolled.

HOUSE BILL NO. 820

INTRODUCED BY Lapy Smyth Bradley McHart Vincent Harrington Parker Tuss Kruegger Dave Brown

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PURCHASE OF A STAMP TO HUNT WATERFOWL; AND REQUIRING THAT MONEY GENERATED BY THE SALE OF STAMPS AND RELATED ARTWORK BE USED FOR PRESERVATION AND DEVELOPMENT OF WETLANDS."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Stamp required to hunt waterfowl. (1) It is unlawful for any person 16 years of age or older to pursue, hunt, shoot, or kill waterfowl without first having obtained a valid waterfowl stamp from the department. The fee for such stamp is $5.

(2) For the purpose of this section, the term "waterfowl" means wild ducks, wild geese, brant, and swans.

Section 2. Procurement and sale of artwork -- disposition of proceeds. (1) The department shall contract with an art publisher for the selection, by contest or other method, of a design for the annual waterfowl stamp required by [section 1] and shall arrange for the production and sale of the stamp and related artwork. The contract must provide for a preference for designs submitted by Montana artists in the event that artwork of equal or comparable value is submitted by resident and nonresident artists. The procurement and sale of the stamps and artwork are exempt from the provisions of Title 18, chapter 4, part 3.

(2) Money received from the sale of stamps and related artwork must be deposited in the state special revenue fund for the use of the department and may be expended only for the protection, conservation, and development of wetlands in Montana.

Section 3. Codification instruction. Sections 1 and 2 are intended to be codified as an integral part of Title 87.

Section 4. Extension of authority. Any existing authority of the department of fish, wildlife, and parks to make rules on the subject of the provisions of this act is extended to the provisions of this act.

-End-

INTRODUCED BILL
HB 820

STATE OF MONTANA

REQUEST NO. FNN 438-85

F I S C A L N O T E

Form BD-15

In compliance with a written request received February 14, 19 85 , there is hereby submitted a Fiscal Note for House Bill 820 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

Require purchase of a stamp to hunt waterfowl and the money generated by the sale of these stamps and the related artwork will be used for preservation and development of wetlands.

ASSUMPTIONS:

1. Waterfowl hunters will be required to purchase the stamps beginning March 1, 1986.
2. 10,000 first edition prints will be sold during the first license year (March 1, 1986 to February 28, 1987) and 6,000 in subsequent license years.
3. Department share of each print sold will be $35.00.
4. 9,000 collector stamps will be sold during the first license year and 5,000 in subsequent license years.
5. Approximately 25,000 sportsmen will purchase a duck stamp as a license in FY 87 at a cost of $5.00 each.
6. Contractor will provide artist, artwork, advertising, and printed stamps at no cost to the Department of Fish, Wildlife and Parks.
7. Contractor selection is based on a guarantee of the greatest revenue.

FISCAL IMPACT:

	FY86	FY87
Increase in Special Revenue Fund	$197,500	$440,000

AFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

None

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The earmarked revenue will increase the Department's ability to protect and enhance wetlands for waterfowl. We anticipate receiving $360,000 each year, beginning in FY1988, from stamp and artwork sales.

TECHNICAL OR MECHANICAL DEFECTS OR CONFLICTS WITH EXISTING LEGISLATION:

Effective date for this legislation should be March 1, 1986, the beginning of the new license year.

David L Hunter

BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Feb 20, 1985

FN9:I/3

APPROVED BY COMM.
ON FISH AND GAME

STATEMENT OF INTENT

HOUSE BILL 820

House Fish and Game Committee

It is the intent of this legislation that an advisory committee will be formed by the department of fish, wildlife, and parks to represent, or that the department will consult with, interest groups such as:

(1) the sportsmen of Montana, represented by a member of the Montana wildlife federation;

(2) the nonconsumptive users of wildlife, represented by a member of the Montana Audubon council; and

(3) the agricultural industry, represented by a member of that community.

It will be the role of the advisory committee to review project proposals developed by the department of fish, wildlife, and parks which involve the use of funds generated as a result of this bill.

SECOND READING
HB 820

HOUSE BILL NO. 820

INTRODUCED BY RAPP-SVRCEK, GRADY, HART, VINCENT, HARRINGTON, PAVLOVICH, QUILICI, KRUEGER, D. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PURCHASE OF A STAMP TO HUNT WATERFOWL; ANB REQUIRING THAT MONEY GENERATED BY THE SALE OF STAMPS AND RELATED ARTWORK BE USED FOR PRESERVATION AND DEVELOPMENT OF WETLANDS; AND PROVIDING EFFECTIVE DATES."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Stamp required to hunt waterfowl. (1) It is unlawful for any person 16 years of age or older to pursue, hunt, shoot, or kill waterfowl without first having obtained a valid waterfowl stamp from the department. The fee for such stamp is $5.

(2) For the purpose of this section, the term "waterfowl" means wild ducks, wild geese, brant, and swans.

Section 2. Procurement and sale of artwork -- disposition of proceeds. (1) The department shall contract with an art publisher for the selection, by contest or other method, of a design for the annual waterfowl stamp required by [section 1] and ~~shall arrange~~ for the production and sale of the stamp and related artwork. The contract must provide ~~for a preference for~~ THAT ONLY designs submitted by Montana artists ~~in the event that artwork of equal or comparable value is submitted by resident and nonresident artists~~ MAY BE SELECTED. The procurement and sale of the stamps and artwork are exempt from the provisions of Title 18, chapter 4, part 3.

(2) Money received from the sale of stamps and related artwork must be deposited in the state special revenue fund for the use of the department and may be expended only for the protection, conservation, and development of wetlands in Montana.

Section 3. Codification instruction. Sections 1 and 2 are intended to be codified as an integral part of Title 87.

Section 4. Extension of authority. Any existing authority of the department of fish, wildlife, and parks to make rules on the subject of the provisions of this act is extended to the provisions of this act.

SECTION 5. EFFECTIVE DATES. SECTION 1 IS EFFECTIVE MARCH 1, 1986. SECTIONS 2 THROUGH 5 ARE EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

STANDING COMMITTEE REPORT

SENATE

March 14, 19 85

MR. PRESIDENT

We, your committee on FISH AND GAME

having had under consideration HOUSE BILL No. 820

third reading copy (blue color)

YELLOWTAIL WILL CARRY

REQUIRES STAMP TO HUNT WATERFOWL

Respectfully report as follows: That HOUSE BILL No. 820

be amended as follows:

1. Title, line 8.
Following: "WETLANDS;"
Insert: "REQUIRING THE APPOINTMENT OF AN ADVISORY COUNCIL TO ADVISE THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS ON THE USE OF MONEY RAISED BY THE SALE OF STAMPS AND ARTWORK;"

2. Page 2, line 14.
Following: line 13
Insert: "Section 3. Appointment of advisory council. (1) The director shall appoint an advisory council pursuant to 2-15-122 to review proposals developed by the department which involve the use of money received by the department under [section 2] for the protection, conservation, and development of wetlands in Montana.
(2) Members must be appointed to the advisory council who represent Montana sportsmen, nonconsumptive users of wildlife, and the agricultural industry."
Renumber: subsequent sections

3. Page 2, line 14.
Following: "Sections 1"
Strike: "and 2"
Insert: "through 3"

(Continued)

DO PASS

~~DO NOT PASS~~

Mad Conover
Chairman.

HB 820

March 14, 1985 19

4. Page 2, line 21.
Following: "THROUGH"
Strike: "5"
Insert: "6"

5. Statement of Intent
Strike: statement of intent in its entirety

AND AS AMENDED BE CONCURRED IN

Mad Conover
MAX CONOVER, Chairman

STATEMENT OF INTENT

HOUSE BILL 820

House Fish and Game Committee

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(1) the sportsmen of Montana, represented by a member of the Montana wildlife federation;

(2) the nonconsumptive users of wildlife, represented by a member of the Montana Audubon council; and

(3) the agricultural industry, represented by a member of that community.

It will be the role of the advisory committee to review project proposals developed by the department of fish, wildlife, and parks which involve the use of funds generated as a result of this bill.

THIRD READING
HB 820

HOUSE BILL NO. 820

INTRODUCED BY RAPP-SVRCEK, GRADY, HART, VINCENT, HARRINGTON, PAVLOVICH, QUILICI, KRUEGER, D. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PURCHASE OF A STAMP TO HUNT WATERFOWL; AND REQUIRING THAT MONEY GENERATED BY THE SALE OF STAMPS AND RELATED ARTWORK BE USED FOR PRESERVATION AND DEVELOPMENT OF WETLANDS; AND PROVIDING EFFECTIVE DATES."

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(2) For the purpose of this section, the term "waterfowl" means wild ducks, wild geese, brant, and swans.

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(2) Money received from the sale of stamps and related artwork must be deposited in the state special revenue fund for the use of the department and may be expended only for the protection, conservation, and development of wetlands in Montana.

Section 3. Codification instruction. Sections 1 and 2 are intended to be codified as an integral part of Title 87.

Section 4. Extension of authority. Any existing authority of the department of fish, wildlife, and parks to make rules on the subject of the provisions of this act is extended to the provisions of this act.

SECTION 5. EFFECTIVE DATES. SECTION 1 IS EFFECTIVE MARCH 1, 1986. SECTIONS 2 THROUGH 5 ARE EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

STATEMENT OF INTENT

HOUSE BILL 820

House Fish and Game Committee

~~It is the intent of this legislation that an advisory committee will be formed by the department of fish, wildlife, and parks to represent, or that the department will consult with, interest groups such as:~~

~~(1) the sportsmen of Montana, represented by a member of the Montana wildlife federation;~~

~~(2) the nonconsumptive users of wildlife, represented by a member of the Montana Audubon council; and~~

~~(3) the agricultural industry, represented by a member of that community.~~

~~It will be the role of the advisory committee to review project proposals developed by the department of fish, wildlife, and parks which involve the use of funds generated as a result of this bill.~~

REFERENCE BILL
HB 820

HOUSE BILL NO. 820

INTRODUCED BY RAPP-SVRCEK, GRADY, HART, VINCENT, HARRINGTON, PAVLOVICH, QUILICI, KRUEGER, D. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PURCHASE OF A STAMP TO HUNT WATERFOWL; ~~AND~~ REQUIRING THAT MONEY GENERATED BY THE SALE OF STAMPS AND RELATED ARTWORK BE USED FOR PRESERVATION AND DEVELOPMENT OF WETLANDS; REQUIRING THE APPOINTMENT OF AN ADVISORY COUNCIL TO ADVISE THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS ON THE USE OF MONEY RAISED BY THE SALE OF STAMPS AND ARTWORK; AND PROVIDING EFFECTIVE DATES."

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(2) Money received from the sale of stamps and related artwork must be deposited in the state special revenue fund for the use of the department and may be expended only for the protection, conservation, and development of wetlands in Montana.

SECTION 3. APPOINTMENT OF ADVISORY COUNCIL. (1) THE DIRECTOR SHALL APPOINT AN ADVISORY COUNCIL PURSUANT TO 2-15-122 TO REVIEW PROPOSALS DEVELOPED BY THE DEPARTMENT WHICH INVOLVE THE USE OF MONEY RECEIVED BY THE DEPARTMENT UNDER [SECTION 2] FOR THE PROTECTION, CONSERVATION, AND DEVELOPMENT OF WETLANDS IN MONTANA.

(2) MEMBERS MUST BE APPOINTED TO THE ADVISORY COUNCIL WHO REPRESENT MONTANA SPORTSMEN, NONCONSUMPTIVE USERS OF WILDLIFE, AND THE AGRICULTURAL INDUSTRY.

Montana Legislative Council

Section 4. Codification instruction. Sections 1 ~~and--2~~ THROUGH 3 are intended to be codified as an integral part of Title 87.

Section 5. Extension of authority. Any existing authority of the department of fish, wildlife, and parks to make rules on the subject of the provisions of this act is extended to the provisions of this act.

SECTION 6. EFFECTIVE DATES. SECTION 1 IS EFFECTIVE MARCH 1, 1986. SECTIONS 2 THROUGH 5 6 ARE EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

CHAIRMAN--CONOVER, MAX
NORMAL SCHEDULE==> SITE: ROOM 402 DAYS: TU-TH-SAT TIME: 1:00-3:00 P.M.
SECRETARY-HAMILTON, AGNES

--BILL NO---	REFER DT--	HEAR DT---	CONSIDER---	FURTHER CONSIDER---	COMMITTEE ACTION--------	*FISCAL NOTE* ORD'D--	REC'D---	REREFERRED TO COMM----	DATE OUT-
HB0136	1/29	3/07	3/7	3/14	CONCUR				3/14
HB0159	2/07	3/07	3/7		CONCUR				3/7
HB0167	1/29	3/19	3/19		CONCUR				3/19
HB0282	2/07	3/21	3/21	3/26	CONCUR				3/26
HB0406	2/19	3/14	3/14		CONCUR				3/14
HB0581	2/19	3/14	3/14		CONCUR				3/14
HB0611	3/04	3/26	3/26		CONCUR				3/26
HB0692	2/19	3/19	3/19		CONCUR				3/19
HB0734	2/21	3/19	3/19		CONCUR				3/19
HB0763	3/04	3/12	3/12	3/14 3/19 3/21 3/26	CONCUR AS AMENDED				3/26
HB0764	3/04	3/21	3/21	3/26	CONCUR				3/26
HB0770	3/04	3/26	3/26		CONCUR AS AMENDED				3/26
HB0820	3/04	3/12	3/12	3/14	CONCUR AS AMENDED				3/14
HJ0001	2/22	3/07	3/7		CONCUR				3/7

MINUTES OF THE MEETING
FISH AND GAME COMMITTEE
MONTANA STATE SENATE

March 12, 1985

The eleventh meeting of the Senate Fish and Game Committee was called to order at 1:00 P.M. on March 12, 1985 by Chairman Max Conover in Room 402 of the Capitol Building

ROLL CALL: All members were present at roll call.

CONSIDERATION OF HB 820: Representative Rapp-Svrcek, District 51, presented this bill to the committee. He stated this bill creates a state waterfowl stamp for hunting. He furnished the committee with an amendment to the bill which is attached as Exhibit 1. The amendment incorporates the statement of intent into the bill and then strikes the statement of intent. This bill would provide an opportunity for artists to apply their trade in the contest for artists to submit their work that would be used for the basis of the stamp. The sale of the stamp would bring in money which would be earmarked for waterfowl habitat within the state. The sale of the stamps would make the state eligible for matching funds from Ducks Unlimited and other programs. Montana is the top five of the lower 48 states that has water fowl habitat. The House amended the bill on page 1, line 25 to restrict the art contest to Montana artists. This amendment may lose a great deal of money for the state.

Chairman Conover opened the hearing for proponents.

Hal Price, Montana Wildlife Federation, supports this bill and furnished the committee with a copy of his testimony and an amendment (Exhibit 2).

Representative Montayne, District 96, supports this bill. He is a stamp collector and collects stamps from all over the United States. The federal government receives 56 to 66 million dollars from stamp collectors that buy stamps and never put them back into operation. He supports the concept of the open bid for the artist.

Jim Flynn, Department of Fish, Wildlife and Parks, gave testimony in support of this bill. A copy of his testimony is attached as Exhibit 3.

Bob Elgas, Big Timber, supports this bill. He stated preservation of Montana wetlands is vital not only to waterfowl and animals that need wetlands, but to everything that needs water.

The $5 cost of the stamp is very minimal to hunt waterfowl. It is the best bargain we have in the cost of hunting. He is a Montana artist and would like the contest to remain open to only Montana artists, as was amended in the House.

Representative Ellison, District 81, supports this bill and would like the stipulation to remain concerning Montana artists. We have good artists and lots of them.

Marlowe Urdahl supports this bill. He is a Montana artist and has had his artwork displayed at Ducks Umlimited Chapters. He thinks that the consideration for a Montana artist is appropriate.

Tom Nygard, Bozeman is in favor of this bill but feels it should be open to national contestants. He does not feel that keeping this open to national contestants is condemning Montana artists. It simply allows for a bigger field to draw from. He furnished the committee with written testimony from Dave Kumlien, which is attached as Exhibit 4. Mr. Kumlien is in support of this bill.

Ann Humphrey, Montana Audubon Council, supports this bill. A copy of her testimony is attached as Exhibit 5.

Tony Schoonen, Skyline Sportsmen, supports this bill.

There were no further proponents and no opponents. Chairman Conover opened the hearing for questions from the committee.

Senator Smith said he has no objection to the concept. In his area, where there are 11,000 acres of water bank and 37,000 acres in wildlife refuge, what would you intend to do with the additional money.

Jim Flynn said he would presume there wouldn't be a great deal done in his part of the state. That area is already good wetland area. What we would be looking at are local initiatives in certain areas where the land owner is willing to donate land for this use and chapters are willing to help.

Senator Smith said this would not be for the purchase of any land. You would work in cooperative agreement with the land owners.

Mr. Flynn said it would not be our intent to go out and buy land.

Senator Yellowtail said there is much interest in the art work. The Department would not just select the art work.

Representative Rapp-Svrcek said the Department would simply contract with a publisher to take care of the up front details.

Senator Yellowtail said it is in the hands of the publisher to establish criteria for selection and so forth.

Representative Rapp-Svrcek said it would be worked out between the publisher and the Department.

Senator Yellowtail questioned the use of "other method" used on page 1, lines 21 and 22.

Representative Rapp-Svrcek said that was put in simply as insurance should another method be used. We did not want to limit this.

Senator Yellowtail asked if this meant a favorite artist could be commissioned to do this without a contest selection procedure.

Hal Price said that would only be the case if the contract with the Department provides for that. The state can set out whatever procedure requirements they want.

Senator Yellowtail said he is uncertain about what they had in mind, it could be anything. Have the drafters of the bill and the proponents considered working with the Montana Artists Council to consider what procedures they have used in the past.

Hal Price said there is no reason why the Department can't consult with the art council and come up with something. Whether this should be a legislative questions he cannot answer.

Senator Yellowtail referred to the amendment furnished by Hal Price. He asked how he would determine value.

Hal Price said this is where the Department would have to provide art critics or whatever. We are not talking about dollar value.

Senator Yellowtail said quality as opposed to value.

Senator Smith said he is going to vote against the bill. He feels the $5 fee is going to make hunting of ducks preventive because of the cost, with the federal stamp, upland bird license and then this.

Senator Jacobson asked if they had looked at other states and if those states were using out of state artists or in state artists.

Representative Rapp-Svrcek said most states that have just started with a similar program have opened the contest up to national competition. The amount of money they have taken in, in some cases, is significantly higher than in some states that are limited to contestants within the state.

Senator Lane asked what the total cost for an upland game bird license would be.

Jim Flynn said the upland game bird license if $4, the federal duck stamp is $7.50 and the state would be $5. That is a total of $16.50.

Representative Rapp-Svrcek closed by stating no money would come out of the Fish, Wildlife and Parks fund. It is all in the contract. With regard to the artist, I am going to remain neutral on that. We might be losing some income and that is a legitimate concern. He is sure there are nationally known water fowl artists within the state of Montana that will be able to compete nationally. The funds generated from this program cannot be used for other purposes within the Department. This program will bring money into the state in several areas.

Senator Severson asked how many duck stamps are there at the present time.

Mr. Flynn said 25 to 27 thousand.

The hearing was closed on HB 820.

CONSIDERATION OF HB 763: Representative Menahan, District 67, presented the bill by stating he will allow the proponents to testify so that there will be more time for the hearing and he will reserve the right to close.

Don Brown, retired employee of the Department of Fish, Wildlife and Parks, gave testimony in support of this bill. A copy of his testimony is attached as Exhibit 6.

Robert VanDerVere supports this bill. He furnished the committee with newspaper clippings concerning the shooting of buffalo in the park (Exhibit 7). Without the control of the buffalo there is a problem of spreading brucellosis through their droppings or saliva. He feels that a special hunt to control the animals that come out of the park would be a good solution to the problem.

Tony Schoonen, Montana Wildlife Federation, supports this bill. A copy of his testimony is attached as Exhibit 8.

ROLL CALL

SENATE FISH AND GAME COMMITTEE

48th LEGISLATIVE SESSION -- 1985 Date 3-12-85

SENATE SEAT #	NAME	PRESENT	ABSENT	EXCUSED
22	Senator Anderson	✓		
6	Senator Jacobson	✓		
38	Senator Lane	✓		
31	Senator Severson	✓		
2	Senator Smith	✓		
37	Senator Yellowtail	✓		
	Senator Conover	✓		

Each day attach to minutes.

DATE 3-12-85

COMMITTEE ON Senate Fish and Game

VISITORS' REGISTER HB 763/HB 820

NAME	REPRESENTING	BILL #	Check One: Support	Oppos
Joe Gutkoski	Gallatin Wildlife Assoc	HB763	✓	
Bob Elgas	Self	HB820	✓	
Marlowe Mehrkens	Self	HB820	✓	
Ted Price	Mont. Wildlife Fed	HB820	✓	
Owen James	Report of Livestock			
Lloyd Schermer	Skyline Sportsmen	HB763	✓	
Tim Holdorf	Skyline Sportsman	HB763	✓	
Tony Schoonen Jr.	Montana Wildlife Fed	HB763/820	✓	
Leroy Schoonen	Skyline Sportsmen	HB820	✓	
T.F. Thomas	Anaconda Sportsmen	763 820	✓	
Robert Schultz	Anaconda Sportsmen	763 820	✓	
Leroy Clark	Anaconda Sportsmen	763 820	✓	
Walter Deshler	Helena Self	763	✓	
Broadview High School	School	Visiting		
Wm L. Brown	self -	HB763	✓	
SAM MURSETT	Self	HB 820	✓	
R.J. Eng	Self	HB820	✓	
Ann Hardpiveen	Montana Audubon Council	HB820	✓	
Tom Aygard	self	820	✓?	
Jim Mular	Self	763	✓	

(Please leave prepared statement with Secretary)

NAME James E. Taplin BILL NO. HB 820

ADDRESS 2211 W Hayes, Bozeman, MT DATE 3-12-85

WHOM DO YOU REPRESENT myself

SUPPORT Yes OPPOSE _____ AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

It seems to me that the 5.00 proposed Cost of state waterfowl stamps should not be considered as a deterrant to passage of the above bill.

I would like to kindly suggest that many people do not object to spending 40 or 50 dollars for one night on the town only a few drinks, supper and other expenses travel, dress clothing quickly would use the amt of 40 to 50 dollars. Waterfowl season lasts 3 Mos. in Cont. While I did not come here to support this bill I am in favor of its passage.

I belong to many wildlife groups both national, international and state and local. I buy 4 Federal stamps each year to help their waterfowl habitat enhancement program because I have enjoyed fine hunting and fishing as a lifelong resident of montana for more than 55 years and this is a very low amount to spend for me outdoor enjoyment in years to come.

Thank you,

(AGE 67) James E. Taplin (TAPLIN)

EXHIBIT 1
Submitted by Representative Rapp-Svr
March 12, 1985

H.B. 820 (Third reading amendments)

1. Title, line 8.
   Following: "WETLANDS;"
   Insert: "REQUIRING THE APPOINTMENT OF AN ADVISORY COUNCIL TO ADVISE THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS ON THE USE OF MONEY RAISED BY THE SALE OF STAMPS AND ARTWORK;"

2. Page 2.
   Following: line 13
   Insert: "Section 3. Appointment of advisory council. (1) The director shall appoint an advisory council pursuant to 2-15-122 to review proposals developed by the department which involve the use of money received by the department under [section 2] for the protection, conservation, and development of wetlands in Montana. (2) Members must be appointed to the council who represent Montana sportsmen, nonconsumptive users of wildlife, and the agricultural industry."
   Renumber: subsequent sections

3. Page 2, line 14.
   Strike: "and 2"
   Insert: "through 3"

4. Page 2, line 21.
   Strike: "5"
   Insert: "6"

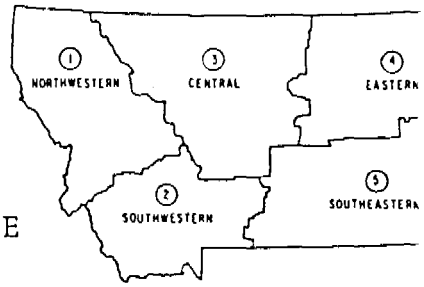
5. Statement of Intent
   Strike: statement of intent in its entirety

EDUCATION – CONSERVATION

EXHIBIT 2

Montana Wildlife Federation

AFFILIATE OF NATIONAL WILDLIFE FEDERATION



HB 820

TESTIMONY PRESENTED TO THE SENATE
COMMITTEE ON FISH AND GAME
MARCH 12, 1985

Mr. Chairman, members of the committee, my name is Hal Price. I appear before you today representing the Montana Wildlife Federation. The Federation is a statewide sportsmen's organization with 17 affiliated local clubs and a total membership in excess of 4,500.

HB 820 provides the authority necessary for Montana to launch a significant program for improving and developing waterfowl habitat. The program, if approved by the legislature, is expected to bring many hundreds of thousands of dollars into the state. The money will be derived from the sale of waterfowl stamps and associated art work on the national art market. The funds derived from stamp and art work sales will be utilized by the Department of Fish, Wildlife and Parks for the necessary preliminary work on wetland enhancement projects prior to Ducks Unlimited (DU) expenditure of construction funds now available to Montana. The preliminary work the state must accomplish involves project selection, planning, surveying, obtaining permits, leases, agreements and so on. The actual physical construction work will be paid for by DU and accomplished by in-state contractors. Ducks Unlimited has set aside approximately $5 million per year for its U. S. Habitat Program for wetland

enhancement work in Montana, the Dakotas and ~~e~~ western Minnesota. If we are able to pay our share of the project costs, we can anticipate a DU expenditure of $500,000 to $1 million per year in Montana.

Also, the revenues derived from the sale of waterfowl stamps and art work will allow us to undertake other enhancement projects such as constructing stock dams and other water development projects and building goose nesting structures. Landowners and the agricultural industry can benefit significantly from these programs.

Waterfowl hunters support HB 820 because we are keenly aware of the direct impact of improved habitat on waterfowl numbers and we know that a very high percentage of ducks and geese harvested in Montana are raised in Montana.

The fiscal note on HB 820 indicates that during FY 87 (the first full year of operation) Montana will receive $440,000 from the sale of stamps and art work. The history of this program in other states suggests that this is a very conservative figure. North Dakota netted $470,000 in 1982 and Oregon collected over $810,000 in 1984, its first year. Although important, sales to the in-state art market are not nearly so crucial as our performance in the national market. We believe Montana can do better than our neighboring states because of the national reputation we enjoy as a wildlife state.

In summary, here are the benefits we see in this program:

$400,000 - $500,000 annually from sale of stamps/art work

$500,000 - $1,000,000 annually from Ducks Unlimited

A total of $900,000 - $1,500,000 per year would be available for wetland enhancement. Eighty to ninety percent of these funds

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A total of $900,000 - $1,500,000 per year would be available for wetland enhancement. Eighty to ninety percent of these funds

would come from outside of Montana, that is, from the national art market and Ducks Unlimited.

The following is a brief summary of state waterfowl stamp and art work programs. Between 1971 and 1979, several states started requiring stamps for the hunting of waterfowl. Stamps were printed from original art work produced by a resident artist, either commissioned by the state or the winner of a local artists' competition. Starting in 1980, several additional states started requiring stamps for hunting. However, those states retained reproduction rights to the original art work and marketed their own prints. The artist chosen was still required to be a state resident. These latter states gained a small income from the sale of their art work: Delaware averaged $35,000 per year and Oklahoma averaged $89,000 per year. In 1981, several new states got into the program. These states contracted with art publishers and sought out the best artists. The publishers were under contract to perform all production and marketing services. Income from these programs has ranged from $270,000 per year to over $800,000. The trand is still upward. I have attached a copy of a "Request for Proposal" used by another state to help describe the publisher/artist approach.

Enclosure

REQUEST FOR PROPOSAL
1985 OREGON WATERFOWL STAMP

The Oregon Department of Fish and Wildlife (hereinafter called Department) is requesting proposals for design, artwork and marketing services for the 1985 Oregon Waterfowl Stamp according to terms and conditions as follows:

1. DESIGN AND ARTIST CRITERIA: Design of any artist may be submitted. The designs shall be a 13" x 18" rendering in full color of LESSER SNOW GEESE. The designs must be originals and not have been utilized in the production or entered in competition of any federal or state waterfowl program. More than one design may be submitted with proposal. The designs not chosen will be returned immediately after selection and public showing. The chosen original design will become the property of the Oregon Department of Fish and Wildlife.

2. SUBMITTALS: Proposals, following materials, documents and information shall be signed and submitted to the Oregon Department of Fish and Wildlife, 506 S.W. Mill Street, Portland, Oregon 97201, Attention: Sharon Conyers, by 5:00 P.M. on April 15, 1985. All proposals become the property of the Oregon Department of Fish and Wildlife.

   A. Original artwork (see paragraph 1) may be mounted and/or matted but shall not be framed or under glass, and in a protective mailing carton. No signature, lettering or scroll work on the design

   B. Background of the design artist may include but not be limited to name, credits, and awards.

   C. Information concerning the marketing of prints and its revenue producing potential shall include, but not be limited to:

      1. Size of print to be marketed.
      2. Estimated number of prints that can be marketed over a six month period.
      3. Detailed advertising campaign for prints and stamps and include beginning advertising date.
      4. Bidders experience in marketing art prints and stamps.
      5. Price per print (retail and wholesale).
      6. Royalty to Department as a percent of retail price or amount per print.

3. AWARD OF CONTRACT: The selection will be based on revenue potential to the Department, marketing program and original artwork. The evaluation will be based on the quality of the artwork, the national marketing experience, advertising ability and ability to perform. – Should include financial sh

4. RESPONSIBILITY OF CONTRACTOR: Within fourteen (14) calendar days after receipt of award and return of original artwork, Contractor shall furnish to Department camera ready copy of the selected design in a proportional size format for the actual waterfowl stamp. Overlays shall be included with artwork and wording per Exhibit A.

Contractor shall supply 10% of total edition and no less than 375 prints for Conservation Edition prints at no charge. The series should be numbered (CE series) and signed by artist at no charge.

Contractor will be responsible for matching print number with stamp number and give the lower number of prints and stamps to Oregon Dealers. Each stamp will cost the Contractor $5.00. A list of dealers should be supplied to Department for a continuing series.

5. REPRODUCTION RIGHTS: The successful bidder agrees that the Department will retain all reproduction rights to the design submitted; however, the successful bidder will have the right to sell art print productions from one (1) printing. The should be copyrighted.

6. ROYALTY AND OTHER COSTS: A royalty will be paid to the Department for each art reproduction. The Contractor shall bear all other costs, including royalty payments to artist, and expenses relating to production and marketing. All royalty payments for the number of art prints reproduced shall be paid to the Department in three payments starting 90 days after print sale deadline.

The undersigned offers and agrees, if this proposal is accepted, to comply with all terms and conditions as set forth herein.

_____
Authorized Signature

_____
Title

_____
Name of Firm Submitting Proposal

_____
Address

_____
Telephone Number

SPECIFICATIONS FOR 1985 OREGON WATERFOWL STAMP

1. QUANTITY OF STAMPS: A total of 120,000 stamps are required. This will consist of 4000 sheets of 30 stamps each (Exhibit B). Any overage of stamps that need to be destroyed must be shredded.

2. DELIVERY: Delivery shall be made on or before June 1, 1985, to Oregon Department of Fish and Wildlife, Attention: Sharon Conyers, 506 S.W. Mill Street, Portland, Oregon 97201. Delivery must be made between the hours of 8 AM and 5 PM.

3. PRINTING: Printing will be two sides, head to head. Four (4) full size final press sheets will be provided to Oregon Department of Fish and Wildlife Purchasing. Press sheets will not be gummed, numbered, or perforated.

4. STOCK: 60# White S.D. Warren "Warrenflo" gloss or equal.

5. INK: Front side prints in 4 color process and black ink. Back side prints in PMS 421 (gray). Dry gum stamps after printing.

6. PROOF: Kromalin proof shall be sent to Sharon Conyers, Oregon Department of Fish and Wildlife, 506 S.W. Mill Street, Portland, Oregon, 97201.

7. SIZE AND PERFORATIONS: Stamp size to be approximately 1-3/8" X 2" (Exhibit A) (Bidder to state actual stamp size on proposal). Each sheet will consist of thirty (30) stamps perforated on all four sides. Perforations will be pinhole with fourteen (14) pinholes per inch.

8. SERIAL NUMBERS: Sheets shall be consecutively numbered from 0001 through 4000 to form four plate blocks in salvage area (Exhibit B). Each stamp is to be consecutively numbered from 000001 through 120000. Numbers will be printed in black ink.

9. PACKING AND SHIPPING: Stamps are to be packaged or boxed in 100's with the lowest sheet number on top and slip-sheeted to prevent sticking. All packages or boxes will be marked to show the sheet numbers and stamp numbers. All shipping charges are to be included in the price by the bidder.

EXHIBIT A

Front to show with colored artwork and printed with:

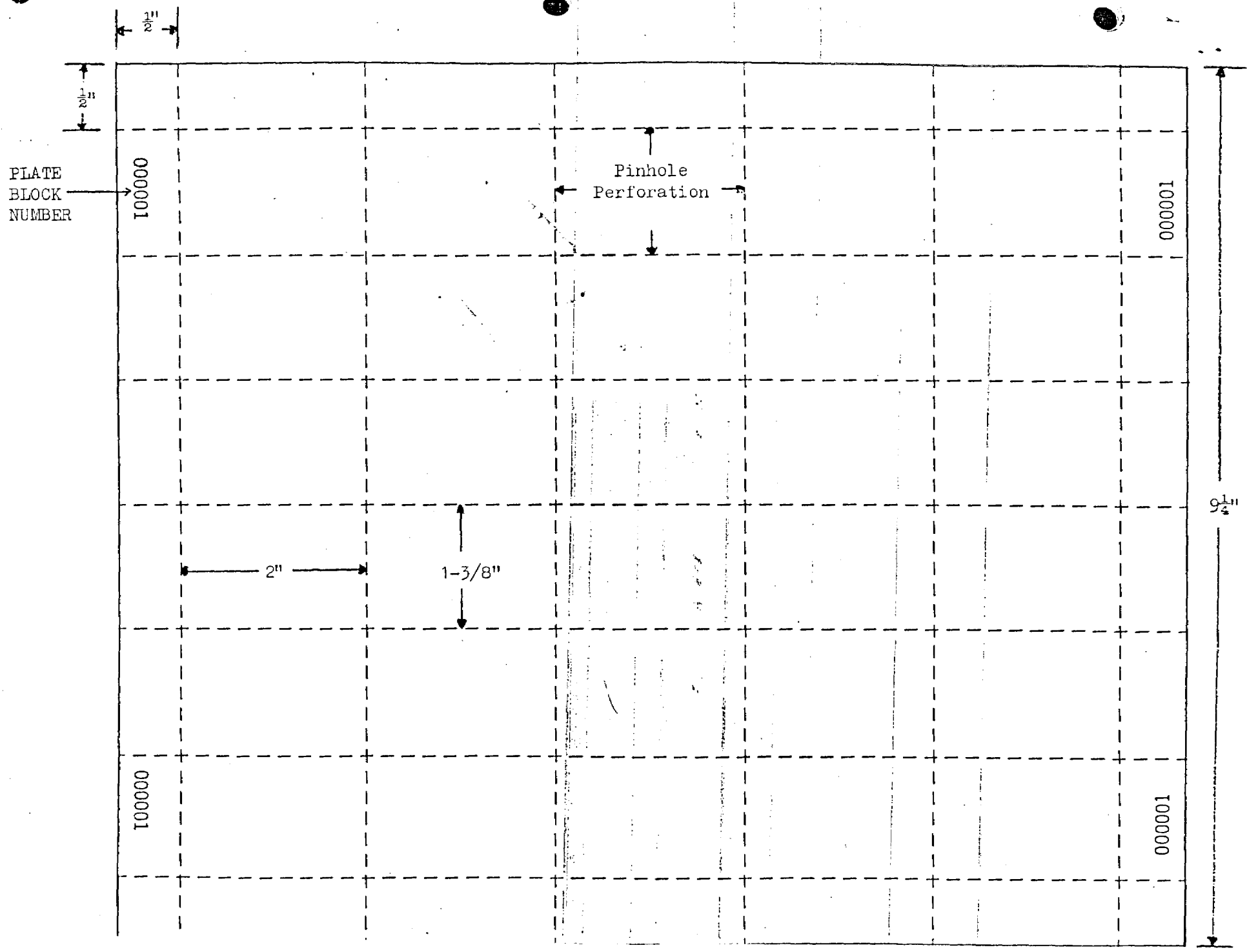
1. 1985 Oregon Waterfowl Stamp
2. $5.00
3. Number of stamp
4. Expires June 30, 1986

Back to have the printed statement (shown below).

SAMPLE
FRONT

SAMPLE
BACK

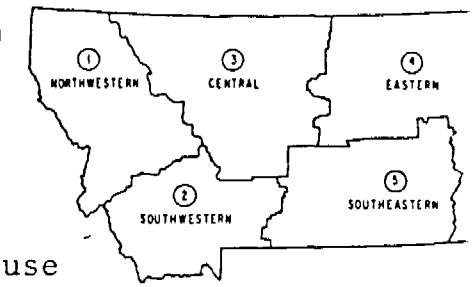
This stamp is invalid
unless signed on face in
ink and affixed to license
Oregon Department of
Fish and Wildlife


1/2"
1/2"
PLATE
BLOCK
NUMBER
100001
Pinhole
Perforation
000001
2"
1-3/8"
9 1/4"
100001
000001

EDUCATION – CONSERVATION

Montana Wildlife Federation

AFFILIATE OF NATIONAL WILDLIFE FEDERATION



AMENDMENT PROPOSED TO HB 820

The amendment to restrict the art work to a Montana artist caught us by surprise in the House Fish and Game Committee. As a result, the amendment passed. It was seen as a way to help a Montana artist get some recognition and make some money. We did not have on hand, at that time, the information necessary to demonstrate the potential loss of revenues to the state by possibly failing to secure the best art work available, regardless of the place of residence of the artist. The history of this type of program in the other 29 states involved shows, without a doubt, that we must be able to compete for our share of the national market. In order to do so, we must be able to compete with the other states that have art work on the market produced by the nation's best contemporary artists.

We sincerely hope the best happens to be a Montana artist. The original version of HB 820 reflects that position by providing a preference for Montana art work. But to exclude the possible use of the best art work available simply because the artist happens to reside elsewhere would seem to be an unreasonable sacrifice to be made by many on behalf of one. The residency requirement could easily cost the state several hundred thousand dollars, even during the first year of the program. Coupled with this loss would be a reduction of in-state expenditures by Ducks Unlimited, which would, of course,

reduce the scale and scope of the habitat program. It would seem then, that there could be little doubt that a well-intentioned effort to help a Montana artist could prevent some good construction projects from taking place which could help the resource and a great many Montanans. For these reasons, we urge this Committee to amend HB 820 as proposed.

Presented by Hal Price
Montana Wildlife Federation

The Montana Wildlife Federation proposes that HB 820 be amended back to its original form with regard to selection of art work. Beginning on page 1, line 25, reinstate the words "for a preference for" and strike the words "THAT ONLY". Page 2, lines 1 and 2, reinstate original language. Line 2 strike "MAY". Line 3 strike "BE SELECTED".

EXHIBIT 3

HB 820

Testimony presented by Jim Flynn, Department of Fish, Wildlife & Parks

March 12, 1985

I appear here today in support of HB 820 which provides for a Montana State Waterfowl Stamp - the proceeds of which will be used to protect, develop and enhance wetlands.

This bill has several positive aspects which will benefit waterfowl. There are presently many opportunities to work cooperatively with federal agencies, particularly the Bureau of Land Management and the US Fish and Wildlife Service, as well as with private landowners. The major impediment to these projects now is a lack of funding. HB 820 would address that shortcoming.

The recreational users who stand to gain the most will provide the financial support for the program through the purchase of stamps for hunters and the purchase of valuable artwork as investments for hunters and nonconsumptive users alike. Not only will there be benefits to waterfowl, but several other wildlife species will also benefit, including upland game birds, furbearers and nongame species.

Habitat development projects can take many forms. We have received several requests from sportsmen's clubs to initiate goose nesting structure programs throughout the state. The department has had to turn down requests from Valier and Chester clubs because of a lack of funding for the program. We feel that this could be a very successful project once funding has become a reality. Such a program would allow for cooperative efforts between sportsmen, private landowners and the department.

Landowners and the agricultural industry will also have an opportunity to gain some benefits as a result of this bill. Those landowners who have wetlands on their property will have the opportunity to receive payment for those wetlands under a wetland easement program. This will be a positive program directed at preserving those existing wetlands. It also provides a monetary incentive to landowners who are willing to maintain this type of habitat.

Productive results will be seen by the public from one program alone. Matching dollars and assistance programs through Ducks Unlimited are already available, but Montana has not been able to totally benefit from Ducks Unlimited funds because current budgets are not available for extensive habitat improvement projects. This is not an ideal situation, since Ducks Unlimited funds are partially raised in Montana through their fund raising efforts. Also, the program attempts to contract local construction companies for habitat enhancement which benefits the economy of local communities.

Twenty-nine other states have a state waterfowl stamp program and generally these have been successful. The magnitude of success generally relates to how the stamps are developed and who is developing them.

The committee should be aware that this bill was amended from its introduced form to now allow only resident Montana artists the opportunity to participate in the stamp competition.

While this agency is aware of the quality of our Montana artists, we do wish to point out that this restriction could reduce the potential for maximizing the amount of revenue from a waterfowl stamp program. As an example, the State of Ohio had an unlimited artist with their first competition and generated $386,000. Their next competition was restricted to local artists and generated $30,000. Another example is the State or Oregon whose first print generated $800,000 as a result of nonrestricted competition.

As I have mentioned, we bring this to the committee's attention so you will be aware that there is a point which deserves special considera Resolution of that point likely will have a direct impact upon the revenue generated for the program.

Montana's wildlife heritage, and in particular its waterfowl, are well known both nationally and internationally. This is not overstating the importance of Montana in this overall picture. This bill embodies features for the department to become an active participant in a wetland program for Montana. The fund raising aspect of this bill ensures that this habitat and its resource will be a part of Montana for generations to come.

The department fully supports this legislation.

EXHIBIT 4

HOUSE BILL 820

March 12, 1985

Senate Fish and Game Committee
Senator Max Conover, Chairman

Mr. Chairman and members of the Senate Fish and Game Committee, My name is Dave Kumlien. I am from Bozeman, and I own and operate The Wild Wings Orvis Shop which is a fly fishing specialty shop and wildlife art gallery. My gallery operates under a name license agreement with Wild Wings of Lake City, Minnesota. Wild Wings is recognized as the largest publisher of wildlife art in the United States. In addition to publishing wildlife art prints, Wild Wings has been the publisher of not only several state duck and bird stamp prints but several of the Federal Duck Stamp prints as well. Just recently, William B. Webster of Wild Wings assisted the state of Maine with their new Duck Stamp program, and he was also deeply involved with the highly successful Oregon program with which you are familiar. As a result of my association as a Wild Wings Gallery, the conservation or "duck stamp print" business has become an integral and important part of my gallery operation. As an example, in 1984 I sold over 200 conservation stamp prints of various types. To summarize, I am very familiar with the stamp print programs, distribution, and sales.

I would like to take this opportunity to express my support for the duck stamp bill you are considering. However, I would like to state unequivocally that limiting the competition to in state artists would be highly detrimental to the success of the program. I am sure that local artists would be happy, but it has been proven over and over in other states that the strongest programs are those with open contests! I cannot stress to you enough the importance of the open contest. I am virtually certain that to limit the contest to in state artists would result in 40 to 50% less print sales over the life of the program.

I want it to be perfectly clear to you that I am a Montanan first and foremost. I don't represent any "foreign" interests. My only concern is for the success of the program and the future health of our waterfowl populations. In my gallery, I represent a number of fine Montana artists, but because of our small population, the depth of numbers of top rate nationally known sporting artists is very limited. Granted, we may be able to come up with good strong designs for the first couple of prints, but after that the quality will noticeably drop off. If we want true sporting art collectors to purchase the Montana Duck Stamp Prints, we must have well known sporting artists doing the designs. This cannot be accomplished strictly with in state artists.

Finally, the statement that has been made in a previous House hearing that more prints will be sold in Montana if we use an in state artist is completely false. In the Maine program, 600 of the 1984 First of State Maine Duck Stamp prints were sold. Of that 600 total, less than 50 were sold in the state of Maine. One

of the distributors, L.L. Bean sold over 350 prints, and only 25 or so were sold in state. The long term health of the duck stamp and print program depends heavily on the out of state collector! This collector is looking for high quality sporting art. An open contest will insure this quality exists in each and every design!

I am sorry I was unable to attend the hearing. I am the "chief cook and bottle washer" in my Shop in the winter, and I was unable to leave. I am intensely interested in this bill and program. Please feel free to call on me at my Shop or at my home, and I would be delighted to try and answer your questions.

Sincerely,

Dave Kumlien

Dave Kumlien
THE WILD WINGS ORVIS SHOP
2720 W. MAIN STREET
BOZEMAN, MT 59715

587-4707-work
587-9653-home

P.S. Senator Yellowtail has been in my Shop several times, and I believe he is somewhat familiar with my operation.

EXHIBIT 5

Testimony on HB 820
Montana Audubon Council
March 12, 1985

Mr. Chairman and Members of the Committee, my name is Ann Humphrey and I am representing the Montana Audubon Council, in support of House Bill 820. The Council is composed of over 2200 members in 8 chapters statewide.

HB 820 provides a unique opportunity for supplemental funding of waterfowl habitat development. Preservation of quality habitat is essential to all wildlife species. Maintaining and protecting good waterfowl habitat will benefit many wildlife species along with waterfowl. Duck stamp sales will provide two new funding sources for wetland management:

1) stamp collectors. Hunters will be required to buy a stamp, but because the stamp itself is valuable, it appeals to non-hunters also. Oregon sold their first state waterfowl stamp in 1984. They estimate that nearly 25% of the sales so far have been to non-hunters for collecting purposes.

2) participation in projects sponsored by Duck's Unlimited. These projects focus on enhancement and protection of existing wetlands. Enhancement in this case means building goose nesting boxes, wood duck boxes, island and dam construction. Programs to protect existing wetlands focus on an easement program that would provide monetary incentives to landowners in return for preserving their wetlands for use by breeding, nesting and migrating waterfowl. These are practical programs with substantial amounts of available funding. However, these funding sources are available only through the state duck stamp program.

We urge you to accept these opportunities to support waterfowl habitat management in Montana for the benefit of many wildlife species. Thank you.

MINUTES OF THE MEETING
FISH AND GAME COMMITTEE
MONTANA STATE SENATE

March 14, 1985

The twelfth meeting of the Senate Fish and Game Committee was called to order at 12:30 P.M. on March 14, 1985 by Chairman Max Conover in Room 402 of the Capitol Building.

ROLL CALL: All members were present at roll call.

ACTION ON HB 820: Senator Severson furnished the committee with a fact sheet on the waterfowl stamp program in other states (Exhibit 1). He asked Bob Elgas to explain the information furnished.

Bob Elgas explained Exhibit 1 to the committee.

Senator Severson said, after reviewing the information concerning the different states that have the program and the way they have conducted their program, would like to see the art work restricted to Montana residents. He would like to see the bill remain the same as it was amended in the House to read.

Senator Jacobson referred to the amendments submitted by the Montana Wildlife Federation as a compromise position.

Senator Smith asked how many of the committee members are in favor of restricting this to Montana artists. A vote was taken from the committee and all were in favor of restricting this to Montana artists, except Senator Jacobson, who preferred moderating it a little.

Andi Merrill furnished the committee with an amended bill showing the amendments provided by Representative Rapp-Svrcek (Exhibit 2) She stated this creates an advisory council pursuant to 2-15-122. This is a generic statute on the creation of an advisory council and how those members would be selected.

Senator Smith asked if there was any criteria set up on how and who will be serving on the advisory council.

Andi Merrill said section 2-15-122 would govern the makeup of thi council. It does not say how many members would be on the council. The committee leaves that up to the discretion of the director of the department. That is not to say that the committee can't name how many members in this statute.

Senator Conover asked Mr. Flynn to comment.

Mr. Flynn said he is not familiar with the amendment. He thinks this refers to the general authority of the director to appoint the advisory council. In looking at this I would appoint three persons, one from the sporting community, a nonconsumptive user of wildlife and one from the agricultural industry.

Senator Severson made a motion that the amendments furnished by Representative Rapp-Svrcek be adopted. THE MOTION PASSED UNANIMOUSLY.

Senator Severson referred to page 1, lines 20 and 21 and asked if we should be more selective in that section of this bill concerning Montana artists.

Andi Merrill said you would have to define somewhere in the bill the advisory committee that did this selecting and pretty much set out the duties for that committee. The duties of the advisory council set out in 2-15-122 are different. That council is set up for using the money that is collected.

Senator Severson said there would have to be two different types of people.

Senator Jacobson said we are complicating the bill beyond what is necessary. The committee showed the preference for Montana artists for the first two years and that safeguards it enough. She does not see any reason to do anything further with the bill.

Senator Smith said he does not have an amendment prepared and does not intent to amend the bill but he thinks the $5 fee is too much in addition to the other charges that are required. He thinks this may be very beneficial to the hunting as far as waterfowl is concerned, however, he thinks what we are doing is being more concerned about duck stamps and the artist than the people that will be hunting the ducks.

Senator Yellowtail disagrees. Hunting in this state and country must be viewed as a privilege and accordingly the privilege must be paid for. The privilege entails a responsibility for protecting the resource. He thinks we must recognize that hunting and fishing are sports in this day and age and it is no longer a matter of sustenance. He does not think there are people who depend on ducks for sustenance. He thinks hunters should pay for the recreational privilege. Hunters spend a lot of money on gas, food, etc. as opposed to the $5 duck stamp.

Senator Smith said he agrees it is a privilege for all but he hopes it is not a privilege only for those who can afford it.

Senator Jacobson made a motion that HB 820 BE CONCURRED IN AS AMENDED. The motion passed with a vote of 6-1. Senator Smith was opposed to this motion.

CONSIDERATION OF HB 406: Representative Ream, District 54, presented this bill to the committee. He stated this is the same bill that usually comes before the legislature, although this session it may be easier because the requests are modest. Jim Flynn will talk about the need for these fee increases and how they will be used.

Chairman Conover asked for proponents.

Jim Flynn, Department of Fish, Wildlife and Parks gave testimony in support of this bill. A copy of his testimony is attached as Exhibit 3.

Robert VanDerVere supports this bill except for the $1 increase on the sportsman licenses.

Scott Ross, Walleyes Unlimited, supports this bill. The $1 fishing license increase is a small price to pay for the great benefits of fishing in Montana.

Mary Wright, Montana Council, Trout Unlimited, supports this bill. Her testimony is attached as Exhibit 4.

Janet Ellis, Montana Audubon Council, supports this bill and her testimony is attached as Exhibit 5.

Tony Schoonan, Montana Wildlife Federation, supports this bill and would urge a do pass.

Senator Smith rose in support of this bill. He is very familiar with the Fish and Game budget and feels the increases are necessary to carry out the programs of the Department.

There were no opponents.

Chairman Conover opened the hearing for questions from the committee.

Senator Yellowtail said in the testimony it was brought out that the study committee suggested higher increases. He asked why they did not do that.

Mr. Flynn said that would generate more money than we thought we could legitimately spend in two years and we did not estimate our chances would be very good in getting that sort of budget increase through the legislative process.

ROLL CALL

SENATE FISH AND GAME COMMITTEE

48th LEGISLATIVE SESSION -- 1985 Date 3-14-85

SENATE SEAT #	NAME	PRESENT	ABSENT	EXCUSED
22	Senator Anderson	✓		
6	Senator Jacobson	✓		
38	Senator Lane	✓		
31	Senator Severson	✓		
2	Senator Smith	✓		
37	Senator Yellowtail	✓		
	Senator Conover	✓		

Each day attach to minutes.

Exhibit 1
Submitted by Senator Severson
March 14, 1985

There are currently 29 states which have a waterfowl stamp program. The following depicts how these programs are conducte

16 states have contests which are restricted to residents only.

4 states award through a publishing house with the artist chosen by the publisher.

3 states award to the highest bidder.

1 state chooses the artist.

3 states have special restrictions. (see below)

2 staes only have open competition. Nevada / S. Carolina

16 states which are restricted to in state residents only.

South Dakota	Nebraska	Georgia	Alabama
Tennessee	Oklahoma	Mississippi	Minnesota
Wisconsin	North Dakota	Maryland	Illinois
Missouri	Iowa	Michigan	California

4 States award through a publishing house

Oregon
Texas
Alaska
New York

3 States award to highest bidder

Florida
North Carolina
Ohio

1 state--New Jersey--chooses the artist.

3 states have special restrictions

Delaware does not indicate an open contest
Pennsylvania, rules not yet completed, but first stamp issue was awarded to a resident artist.
Massachussetes, open competition, but subject matter restricted to depictions of old decoys carved by early Massachussetes decoy carvers, an extreme limitation on out of area artists.

Of the 29 states which currently have waterfowl stamp programs only two states have open competition. Nevada and South Carolina.

Exhibit 2
Furnished by Andi Merrill
March 14, 1985

proposals developed by the department which involve the use of money received by the department under [section 2] for the protection, conservation, and development of wetlands in Montana.

(2) Members must be appointed to the advisory council who represent Montana sportsmen, nonconsumptive users of wildlife, and the agricultural industry."

HOUSE BILL NO. 820

INTRODUCED BY RAPP-SVRCEK, GRADY, HART, VINCENT, HARRINGTON, PAVLOVICH, QUILICI, KRUEGER, D. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PURCHASE OF A STAMP TO HUNT WATERFOWL; AND REQUIRING THAT MONEY GENERATED BY THE SALE OF STAMPS AND RELATED ARTWORK BE USED FOR PRESERVATION AND DEVELOPMENT OF WETLANDS; AND PROVIDING EFFECTIVE DATES."

Requiring the appointment of an advisory council to advise F, W, & P on the use of money raised by sale of stamps and artwork.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Stamp required to hunt waterfowl. (1) It is unlawful for any person 16 years of age or older to pursue, hunt, shoot, or kill waterfowl without first having obtained a valid waterfowl stamp from the department. The fee for such stamp is $5.

(2) For the purpose of this section, the term "waterfowl" means wild ducks, wild geese, brant, and swans.

Section 2. Procurement and sale of artwork -- disposition of proceeds. (1) The department shall contract with an art publisher for the selection, by contest or other method, of a design for the annual waterfowl stamp required by [section 1] and ~~shall arrange~~ for the production ~~and sale~~ of the stamp and related artwork. The contract must provide ~~for a preference for~~ ~~THAT ONLY~~ designs submitted by Montana artists ~~in the event that artwork of equal or comparable value is submitted by resident and nonresident artists~~ ~~MAY BE SELECTED~~. THE DEPARTMENT SHALL PROVIDE FOR THE SALE OF STAMPS EXCLUSIVELY BY THE DEPARTMENT OR ITS LICENSE AGENTS, BUT MAY MAKE SUCH OTHER ARRANGEMENTS FOR THE SALE OF RELATED ARTWORK AS IT DETERMINES APPROPRIATE. The procurement and sale of the stamps and artwork are exempt from the provisions of Title 18, chapter 4, part 3.

(2) Money received from the sale of stamps and related artwork must be deposited in the state special revenue fund for the use of the department and may be expended only for the protection, conservation, and development of wetlands in Montana.

Section 3. Codification instruction. Sections 1 ~~and 2~~ through 3 are intended to be codified as an integral part of Title 87.

Section 4. Extension of authority. Any existing authority of the department of fish, wildlife, and parks to make rules on the subject of the provisions of this act is extended to the provisions of this act.

SECTION 5. EFFECTIVE DATES. SECTION 1 IS EFFECTIVE MARCH 1, 1986. SECTIONS 2 THROUGH 5 6 ARE EFFECTIVE ON PASSAGE AND APPROVAL.

-End-

reinsert

quality

reinsert

strike: statement of intent

EXHIBIT 2
Submitted by Andi Merrill
March 14, 1985

H.B. 820 (Third reading amendments)

1. Title, line 8.
Following: "WETLANDS;"
Insert: "REQUIRING THE APPOINTMENT OF AN ADVISORY COUNCIL TO ADVISE THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS ON THE USE OF MONEY RAISED BY THE SALE OF STAMPS AND ARTWORK;"

2. Page 2, line 14.
Following: line 13
Insert: "Section 3. Appointment of advisory council. (1) The director shall appoint an advisory council pursuant to 2-15-122 to review proposals developed by the department which involve the use of money received by the department under [section 2] for the protection, conservation, and development of wetlands in Montana.
(2) Members must be appointed to the advisory council who represent Montana sportsmen, nonconsumptive users of wildlife, and the agricultural industry."
Renumber: subsequent sections

3. Page 2, line 14.
Following: "Sections 1"
Strike: "and 2"
Insert: "through 3"

4. Page 2, line 21.
Following: "THROUGH"
Strike: "5"
Insert: "6"

5. Statement of Intent
Strike: statement of intent in its entirety

creation of advisory council

(To be kept current -- post bills when entering being heard or leaving committee.) Form CS-32

STATUS SHEET

49th LEGISLATIVE SESSION

COMMITTEE ON HOUSE FISH AND GAME

HOUSE BILL NO.	ENTERED COMM.	DATE CONSIDERED	OUT OF COMM.	DO PASS DATE	DO NOT PASS DATE	DO PASS AS AMEND. DATE	BE CONCURRED IN DATE	BE CONC. IN AS AMENDED DATE	BE NOT CONCURRED IN DATE
751	2-9-85	2-14-85	2-14-85		2-14-85				
753	2-9-85	2-14-85	2-19-85		2-19-85				
763	2-11-85	2-19-85	2-19-85	2-19-85					
764	2-11-85	2-19-85	2-19-85			2-19-85			
770	2-11-85	2-19-85	2-19-85			2-19-85			
820	2-14-85	2-21-85	2-21-85			2-21-85			
828	2-15-85	2-21-85	2-21-85	2-21-85					

off hand, he can not think of any that it would particularly impact. Representative Ellison wanted to know if it would affect any future water permits on the river. Mr. Flynn said that he honestly did not know if it would.

In closing, Representative Ream said that he felt that everything had pretty much been said about the white sturgeon. He said he felt it would be worthwhile to add it to our endangered species list.

CONSIDERATION OF HOUSE BILL NO. 820: Representative Paul Rapp-Svrcek, District 51, Thompson Falls, appeared before the committee as the sponsor of House Bill No. 820. He said that this bill creates a state duck stamp for the hunting of waterfowl and it would be attached to the conservation tag. He said that this stamp would result from art work that would be selected through an art publisher that the Department of Fish, Wildlife, and Parks would contract with. He noted that on lines 22 and 23, there is a preference for Montana artists. He said that the funds that would be received under this bill, would go to enhance waterfowl habitat. He said that this has been tried in other states and has been extremely successful. He said that he felt it was a good program; and he thought it would receive a broad support from those who would benefit from it--bird watchers and waterfowl hunters.

PROPONENTS: Jim Flynn, Director of the Department of Fish, Wildlife, and Parks, appeared before the committee in support of House Bill No. 820. He handed out a copy of his testimony to all committee members. (See Exhibit No. 5)

Dave Cogley, researcher, handed out a copy of the Statement of Intent to all committee members. (See Exhibit No. 6)

Hal Price, representing the Montana Wildlife Federation, appeared before the committee in support of House Bill No. 820. He handed out a Montana Waterfowl Stamp Fact Sheet to all committee members. (See Exhibit No. 7) Mr. Price said that the Federation requested this bill. He said that states started marketing the waterfowl stamps in 1971, and since that time 29 states have adopted this type of program. He said that these programs have grown tremendously during the last four years.

Jennifer Cote, representing the Western Montana Fish and Game Association, a sportsmans club in Missoula, said that they are in support of House Bill No. 820. She said that her association tried to get support for a duck stamp in the early 1970's. She handed out a letter from her association, to all committee members. (See Exhibit No. 8)

Dave Maloney, Great Falls, said that he was not representing any particular organization, but he is affiliated with Ducks Unlimited, Montana Wildlife Federation, and the Audubon Society. He said that he is in support of this bill and agrees with where the funds will be going.

Gary Olds, a Gallery owner in Great Falls, appeared before the committee in support of House Bill No. 820. He told the committee how much money was involved in printing and selling the duck stamps and prints. He said this revenue would certainly help the state, and he urged the committee's support of this bill.

Dan Roda, Great Falls, said he was speaking as a private individual, but he was the National Trustee of Ducks Unlimited in the State of Montana. He said he is in favor of this bill.

Dale Schendel, Bozeman, said that he is in support of this bill for the sportsman's sake. He said he felt the money was designated to go to the proper places. He suggested that the state of Montana has many nationally known artists, and he felt that some of their work should be selected.

Lon Skrivseth, Lolo, said that he is an avid waterfowl hunter in support of this bill.

Ann Humphrey, representing the Montana Audubon Council, appeared before the committee in support of House Bill No. 820. She said the Council supports this bill as an innovative way to fund wetland habitat management. She handed in a copy of her testimony. (See Exhibit No. 9)

Bob Elgas, Big Timber, an aviculturist, said that our

wetlands are some of our states's most valuable lands. He also felt that the bird stamp contest should be open only to Montana artists. He said that we have an abundance of capable wildlife artists here in our own state.

There were no further proponents, and no opponents to House Bill No. 820.

DISCUSSION OF HOUSE BILL NO. 820: Representative Cobb asked if the stamp concept could be explained as he had never hunted waterfowl. Mr. Price passed around a print and stamp from Oregon for the committee to see and Mr. Olds explained the selling of the print and stamp. Representative Cobb wanted to know if there was a separate waterfowl license or if there was just one game bird license. Mr. Flynn said that under current state and federal law, if you want to hunt upland game birds you have to have a state license, and if you want to hunt migratory waterfowl then you need to have a federal license. Representative Cobb wanted to know where you would get a stamp. Mr. Flynn said they are usually available at the Post Office, that is the federal ones, and there is a place on your license for that stamp. He said if this state stamp passes, then there will be a place on the Montana license for that stamp also.

Representative Phillips wanted to know where the proceeds from the related artwork would go. Mr. Flynn said that he did not know exactly how the funds from the sale would be divided, but he said that they would probably go down their priority list and designate certain amounts to the various projects. Representative Phillips stated his concern about the committee that would be selected to choose the artwork. Representative Rapp-Svrcek said that Mr. Price had done a lot of research in this area, and would have some suggestions to make to the Department and others concerning this. Mr. Price explained the process to the committee.

Representative Eudaily said that in section two of the bill, he felt it was stating two different things that the department was going to do. Mr. Price said that it was proposed so that the department would do just one thing with one contract. Representative Eudaily said that on line 16, swans are included in there, and he did not think these could be hunted. Mr. Flynn said that swans can be hunted in some areas. Repre-

sentative Eudaily said that he had a concern over the policing of the preference of a Montana artist, if this is contracted out. Mr. Flynn said that if the purpose of this is to collect revenue, then he does not know how selective they can be with their preference of in-state artists.

Representative Ellison wanted to know if Representative Rapp-Svrcek, sponsor of this bill, had contacted any of the hunting groups in the state. Mr. Flynn said that he had been contacted by many people throughout the state concerning this type of legislation and a list of telephone calls concerning this legislation was passed around to all committee members. (See Exhibit No. 10)

Representative Eudaily wanted to know if the stamps would be sold by the regular license dealers. Mr. Flynn said that he would anticipate that they would be available from the license agents.

Representative Grady said that he was concerned about the wording of the bill on page 2, subsection 2. He said his concern is over the words "may be" and where the money is being appropriated. He wanted to know if it meant this money could be used for buying wetlands or to pay taxes on the wetlands. Representative Rapp-Svrcek said that it would definitely not be used for paying taxes. Mr. Flynn said that this bill is talking mainly about wetlands and not habitat, even though many of the areas are the same.

Representative Jenkins said that he would like to know how the artist is going to be paid. Representative Rapp-Svrcek said that it was his understanding that the money would be paid to the artist by the publisher who was contracted to do the work for the Department.

Representative Eudaily wanted to know who would pay the contractor for all his expenses, if this stamp would not go on sale until March 1,1986. Mr. Price referred to the two contracts he was familiar with, and said that the publisher in both the contracts, put the money up front.

Representative Phillips said that he was concerned about the resident versus nonresident artist. He asked Mr. Olds if we would have more selling power,

if we used a Montana artist. Mr. Olds said that he did not have any question in his mind, that if a Montana artist was used, they would sell more. He said that as a dealer he always has more requests and sales for the Montana artists.

Representative Ream wanted to know if the cooperative programs that Mr. Flynn was talking about in his testimony, would be on a matching or cost sharing basis. Mr. Flynn said that generally speaking, yes, and he said that he does think there will be a lot of opportunities with the federal agencies.

Representative Grady said that the fiscal note shows only revenue for the Department, and he wanted to know what the costs would be. Mr. Flynn said that this is not an unfamiliar subject to his Department, and there is an industry out there that handles all of this program and their fees are paid by the sale of the product. He said that this has been proven in other states to be a self-supporting and revenue program.

Representative Jenkins wanted to know if this could be amended so that it would include only Montana artists. Representative Rapp-Svrcek said that he was going to cover this in his closing. So in closing, Representative Rapp-Svrcek said that he had wanted it closed to Montana artists only, but that in talking to Mr. Price and the study he had done in other states, they thought it would gain the most revenue if it were opened up to people from all over. He said that it is the first stamp, the first year, that you make the money on and he hesitated to close it for that reason.

EXECUTIVE SESSION: Representative Hart moved that House Bill No. 820 DO PASS. Representative Phillips seconded the motion. Representative Rapp-Svrcek moved that the amendments passed out by Hal Price of the Montana Wildlife Federation, do pass.

Representative Eudaily wanted to know why the effective date would be different from any other license that we have in the state. Mr. Cogley said that this was discussed with him and they discussed March 1 and January 1 and came up with January 1, 1986. Representative Rapp-Svrcek said he would agree to changing it to March

1, 1986. Question was called on the amendments. The amendments passed unanimously. Representative Ellison made a motion to allow Montana artists only. Representative Phillips seconded the motion. Much committee discussion followed. Question was called on this amendment. The motion passed with the dissenting votes of Representatives Ream and Rapp-Svrcek.

Representative Eudaily made one further amendment on Page 1, line 21 after and, strike "shall arrange." He said that this would put it all into one contract. Representative Rapp-Svrcek seconded the motion. Some committee discussion followed. The motion carried unanimously.

Representative McCormick moved to adopt the Statement of Intent. The bill motion had to be acted on first, and the motion to DO PASS AS AMENDED on House Bill No. 820, passed unanimously. The motion on the Statement of Intent was discussed. The motion to adopt the Statement of Intent carried with the dissenting votes of Representatives Cobb and Eudaily.

HOUSE BILL NO. 828: Representative Grady moved that House Bill No. 828 DO PASS. Representative Rapp-Svrcek seconded the motion. Question was called. The motion passed unanimously.

HOUSE BILL NO. 39: Representative Ellison made a motion to TABLE House Bill No. 39. Representative Phillips seconded the motion. The motion passed unanimously.

ADJOURNMENT: There being no further business before the committee, the meeting was adjourned at 6:50 p.m.

Bob Ream

BOB REAM, Chairman

DAILY ROLL CALL

Fish and Game COMMITTEE

49th LEGISLATIVE SESSION -- 1985

Date 2-21-85

NAME	PRESENT	ABSENT	EXCUSED
Bob Ream, Chairman	✓		
Orval Ellison, Vice Chairman	✓		
John Cobb	✓		
Ralph Eudaily	✓		
Edward Grady	✓		
Marian Hanson	✓		
Marjorie Hart	✓		
Loren Jenkins	✓		
Lloyd McCormick	✓		
John Montayne	✓		
Janet Moore			✓
Bob Pavlovich	✓		
John Phillips	✓		
Paul Rapp-Svrcek	✓		

STANDING COMMITTEE REPORT

FEBRUARY 21 19 85

MR. SPEAKER

We, your committee on FISH AND GAME

having had under consideration HOUSE Bill No 320

FIRST reading copy (WHITE color)

REQUIRES STAMP TO HUNT WATERFOWL

Respectfully report as follows: That HOUSE Bill No 320

BE AMENDED AS FOLLOWS:

1. Title, line 5.
   Strike: "AND"

2. Title, line 7.
   Following: "WETLANDS"
   Insert: "; AND PROVIDING EFFECTIVE DATES"

3. Page 1, line 21.
   Strike: "shall arrange"

4. Page 1, line 23.
   Strike: "for a preference for"
   Insert: "that only"

X BE PASS

CONTINUED

Chairman.

STATE PUB. CO.
Helena, Mont.

COMMITTEE SECRETARY

5. Page 1, line 23.
Following: "artists"
Strike: remainder of line 23 through "artists" on line 25.
Insert: "may be selected"

6. Page 2.
Following: line 13
Insert: "Section 5. Effective dates. Section 1 is effective March 1, 1986. Sections 2 through 5 are effective on passage and approval."

AND AS AMENDED,
DO PASS
STATEMENT OF INTENT ATTACHED

BOB REAM, Chairman.

STATE PUB. CO.
Helena, Mont.

It is the intent of this legislation that an advisory committee will be formed by the department of fish, wildlife, and parks to represent, or that the department will consult with, interest groups such as:

(1) the sportsmen of Montana, represented by a member of the Montana wildlife federation;

(2) the nonconsumptive users of wildlife, represented by a member of the Montana audubon council; and

(3) the agricultural industry, represented by a member of that community.

It will be the role of the advisory committee to review project proposals developed by the department of fish, wildlife, and parks which involve the use of funds generated as a result of this bill.

BOB REAM, Chairman.

STATE PUB. CO.
Helena, Mont.

Exhibit #5
2-21-1985
H.B. #820

HB 820

Testimony presented by Jim Flynn, Department of Fish, Wildlife & Parks

February 21, 1985

I appear here today in support of HB 820 which provides for a Montana State Waterfowl Stamp - the proceeds of which will be used to protect, develop and enhance wetlands.

This bill has several positive aspects which will benefit waterfowl. There presently are many opportunities to work cooperatively with federal agencies, particularly the Bureau of Land Management and the US Fish and Wildlife Service, as well as with private landowners. The major impediment to these projects now is a lack of funding. HB 820 would address that shortcoming.

The recreational users who stand to gain the most will provide the financial support for the program through the purchase of stamps for hunters and the purchase of valuable artwork as investments for hunters and nonconsumptive users alike. Not only will there be benefits to waterfowl, but several other wildlife species will also benefit, including upland game birds, furbearers and nongame species.

Productive results will be seen by the public from one program alone. Matching dollars and assistance programs through Ducks Unlimited are already available, but Montana has not been able to totally benefit from Ducks Unlimited funds because current budgets are not available for extensive habitat improvement projects. This is not an ideal situation, since Ducks Unlimited funds are partially raised in Montana through their fund raising efforts.

Several other states have a state waterfowl stamp - 29 in all - and the programs have been very successful.

Montana's wildlife heritage, and in particular its waterfowl, are well known both nationally and internationally. This is not overstating the importance of Montana in this overall picture. This bill embodies features for the department to become an active participant in a wetland program for Montana. The fund raising aspect of this bill ensures that this habitat and its resource will be a part of Montana for generations to come.

The department fully supports this legislation.

Exhibit #6
2-21-1985
H.B.# 820

49th Legislature LC 1746

STATEMENT OF INTENT

HOUSE BILL NO. 820

HOUSE FISH AND GAME COMMITTEE

It is the intent of this legislation that an advisory committee will be formed by the department of fish, wildlife, and parks to represent, or that the department will consult with, interest groups such as:

(1) the sportsmen of Montana, represented by a member of the Montana wildlife federation;

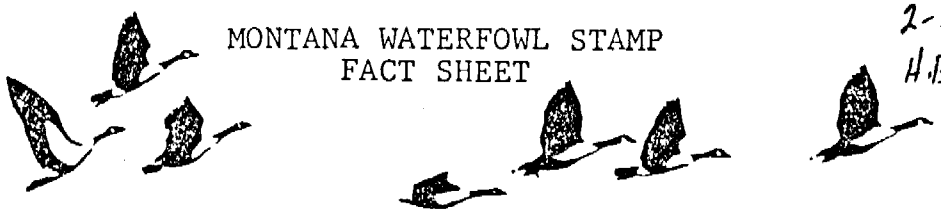
(2) the nonconsumptive users of wildlife, represented by a member of the Montana audubon council; and

(3) the agricultural industry, represented by a member of that community.

It will be the role of the advisory committee to review project proposals developed by the department of fish, wildlife, and parks which involve the use of funds generated as a result of this bill.

Exhibit #7
2-21-1985
H.B. #820

MONTANA WATERFOWL STAMP
FACT SHEET



WHY NEEDED?

Montana is an important contributor to waterfowl populations in both the Pacific and Central flyways. Montana's mallard production ranks among the best in the lower 48 and as a result the Great Plains and Prairie Pothole areas of Montana have both been identified as important areas in the national habitat program.

WHAT IS THE PROGRAM?

A Montana waterfowl stamp has the potential to generate dollars presently unavailable for waterfowl habitat improvement under current budgets. The nationwide sales of artwork prints bring outside dollars into a Montana program. This funding will provide the base to develop a solid, long-term waterfowl habitat program in the state. The goals to protect, enhance and promote waterfowl habitat provide for a wide spectrum of activities.

HOW WATERFOWL BENEFITS!

A major thrust of the program will be enhancement. Enhancement programs will be directed toward improvements on cooperating private lands as well as federal or state-owned lands. Activities such as goose nesting structures, wood duck boxes, island construction and stock dam constructi can be used to provide both long and short term benefits.

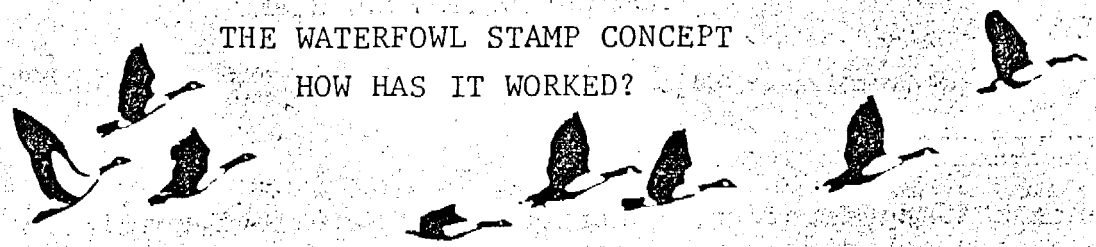
A wetland easement program to protect existing wetlands will be initiated and developed. These easements would be designed to protect habitats encompassing the needs of breeding, nesting and migration of waterfowl. This would provide monetary incentives to willing private landowners for wetland preservation.

A state waterfowl stamp would allow Montana to become an active participa in the Ducks Unlimited MARSH program. This program returns a portion of the dollars raised by the DU organization in Montana back to the state fo use in habitat programs. Currently there is $30,000 available if Montana could match these dollars. In addition to the MARSH program, DU has targeted Montana for use of major development funds under the U. S. Habitat Program. The funds generated by a state waterfowl stamp would enable the state to conduct the preliminary work for project proposals under this program.

The primary focus of the program would be protection and development of wetlands for long term benefits to waterfowl.

The Wildlife Federation strongly endorses this program and urges your support.

THE WATERFOWL STAMP CONCEPT
HOW HAS IT WORKED?



The first waterfowl stamp program was initated in 1971 by the state of California. Since 1971, 29 other states have joined the growing number of state waterfowl stamp programs. Early programs were limited to the sale of stamps only for waterfowl development projects. Reproduction rights and print sales were retained by the artist. In 1980 a major change occurred when states began retaining reproduction rights of the artwork. The sale of limited edition prints provided additional revenue to the states.

Recent trends have been toward the artist/publisher program where an artist or publisher provides the state with artwork, advertising, printing, stamps, etc. and a payment for prints sold.

The first year a state initiates a waterfowl stamp, the artwork is referred to as the "First of the State." The particular piece of artwork is highly sought after by collectors.

North Dakota initiated a duck stamp program under the artist/publisher concept in 1982. Their first year sales totaled over 9,900 prints. The Oregon legislature authorized Oregon's first state waterfowl stamp in 1984. Oregon projects print sales to exceed 14,850 and stamp sales in excess of 60,000. Although final tabulations have yet to be completed, they estimate nearly 25 percent of the stamp sales were to nonhunters for collecting purposes.

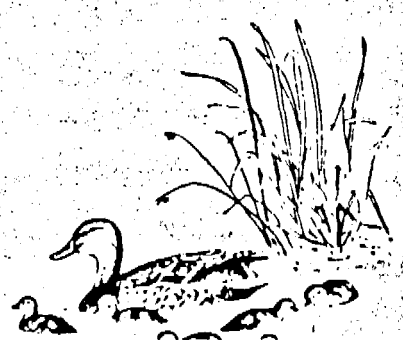


Exhibit #1
P.2
2-21-1985

COOPERATIVE WETLAND DEVELOPMENT OPPORTUNITIES

The opportunity for supplemental funding sources for waterfowl habitat development projects currently exists. Ducks Unlimited, Inc. is a private, non-profit organization dedicated to conserving wetlands habitat for waterfowl and other wildlife. This organization has two programs directed at enhancing waterfowl habitat in Montana, the U. S. Habitat Program and the new MARSH program.

The U. S. Habitat Program is a $5.4 million project directed at the prime waterfowl producing states of Montana, North and South Dakota, Minnesota and Alaska. The only commitment by the states to qualify for this annual appropriation is the preparation of the project proposal. These proposals require certain pre-implementation evaluations before submitting the project for DU consideration. A Montana waterfowl stamp would provide the funding for these pre-activities which currently is not available.

The MARSH program was recently announced which appropriates 7.5 percent of the monies generated by DU activities in the state for wetland development. Various formulas dictate the matching monies needed to qualify for the money. This year Montana has the opportunity to receive up to $30,000 if it can match that amount. No matching funds for this program are available without a state waterfowl stamp.

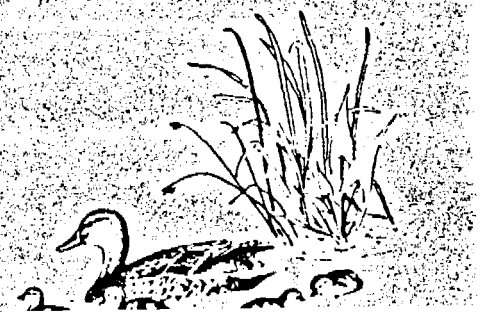


Exhibit #8
2-21-1985
H.Bd 82

Western Montana Fish and Game Association

Box 4294
MISSOULA, MONTANA 59806

February 20,1985

Fish and Game Committee
House of Representatives
Montana Legislature
Helena,Mt 59620

Re: House Bill 820

For over ten years the Western Montana Fish and Game Association has proposed or supported a "Duck Stamp" for the state of Montana. Sportsmen take pride in being the major supporters of wildlife programs both philisophically and monetarily.

A waterfowl stamp would allow those who are the major users of the resource to contribute to the propigation of waterfowl species. The stamps attract large numbers of non-hunters for the collectors value, a good outside source of funds.

As population pressures and habitat destruction mount in the state, a source of revenue is needed to fund conservation of wetlands. "Duck" or waterfowl stamps are a proven source of revenue for this purpose. They are also popular with many of the people who purchase them since the fees are used to specifically benefit the user.

The Western Montana Fish and Game Association urges you to support House Bill 820.

Sincerely,

WMFGA Directors

Robert Broyles
President

THE REGULAR EXECUTIVE BOARD MEETING IS THE FIRST THRUSDAY OF EVERY MONTH

Exhibit #9
2-21-1985
H.B. #820

Montana Audubon Council
Testimony on HB 820
February 21,1985

Mr. Chairman and Members of the Committee,

My name is Ann Humphrey, and I am representing the Montana Audubon Council. The Council supports HB 820 as an innovative way to fund wetland habitat management. In addition to collecting revenues from hunters, the stamp program opens up two new sources of funding that are currently not available, and that are expected to nearly double current revenues. These sources are:

- stamp and art collectors, and individuals who are not necessarily hunters. Oregon sold their first stamp in 1984. They estimate that nearly 25% of their stamp sales have been to nonhunters for collecting purposes.

- habitat management projects directed by Ducks Unlimited. These projects focus on protecting and enhancing existing wetlands. Activities include building goose nesting structures, wood duck boxes, and constructing islands. Additionally, monetary incentives would be provided to willing private landowners who would preserve their wetlands primarily for breeding, nesting, or migrating waterfowl.

Healthy, quality habitat is essential to wildlife species. Audubon fully supports preserving and enhancing Montana's wetlands for the benefit of wildlife. HB 820 provides Montana with a unique way to do this and for that reason we urge your support of this bill. Thank you.

Exhibit #10
2-21-1985
H.B. #820

TELEPHONE CALLS IN SUPPORT OF HOUSE BILL NO. 820

DON GILLAM	BOZEMAN	587-3588
JOHN PARKER	BOZEMAN	586-9688
MIKE FISHER	GLASGOW	228-8686
HARVEY NYBERG	MALTA	654-1641
SAM ESPELAND		
JIM STUTZMAN	MALTA	654-1319
AL ROSGAARD	HAVRE	265-7168
ERIC PIERCE	BOZEMAN	586-7331
SCOTT HEINTSMAN	BOZEMAN	586-6016
DOUG YOUNT	BELGRADE	388-6287
PAUL LAYTON	BOZEMAN	587-3408
KEITH SCOTT	BOZEMAN	586-1237
HARLEM ROD AND GUN CLUB--FRANK ORLANDO	HARLEM	353-2461
DON PALMER	BOZEMAN	587-9058
JACK RIESSELMAN	BOZEMAN	
GENE SIPE	MALTA	654-1858
RON WALLEN	FT. PECK	
MARK PIERCE	BOZEMAN	586-0008

VISITOR'S REGISTER

HOUSE FISH AND GAME COMMITTEE

BILL HOUSE BILL NO. 820 DATE February 21, 1985

SPONSOR REPRESENTATIVE RAPP-SVRCEK

NAME	RESIDENCE	REPRESENTING	SUP-PORT	O PO
Joe Ball	Missoula MT	Self	X	
Lois Skrivseth	Lolo MT	Self	X	
Dave Maloney	Great Falls	Self	X	
Dan Roda	Great Falls	Self	X	
Gary Olds	Great Falls	Self	X	
Schendel, Dale	Bozeman	Self	X	
Schendel Wendi	"	"	X	
Bob Elgin	Big Timber	"	X	
Jam Murfitt	Helena	Self	X	
Jennifer Cote	Missoula MT	Western Montana Fish & Game Association		
Ann Humphrey	Helena	Mt. Audubon Council	X	

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

FORM CS-33